

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

William T. Dalebout, et al.

Serial No.: 09/737,392

Filed: December 15, 2000

For: SELECTIVELY DYNAMIC EXERCISE  
PLATFORM

Art Unit  
3764

RECEIVED

MAY 01 2001

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

TECHNOLOGY CENTER R3700

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 23, 2001.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166

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1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
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Transmitted: Transmittal for Information Disclosure Statement (3 pages)  
Information Disclosure Statement (2 pages)  
Form PTO-1449 Listing of All References (3 pages)  
Legible Copies of All Listed References (19)  
Postcard

- \_\_\_ Statement of relevance of selected cited references not in the English language which are not translated.
- \_\_\_ Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- \_\_\_ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

X Form PTO-1449 listing eighteen (19) references submitted for consideration.

X Copies of eighteen (19) of the references listed on the Form PTO-1449.

\_\_\_ English translations of \_\_\_ (\_\_\_) of the references listed on the Form PTO-1449 which are not in the English language.

\_\_\_ Copies of the following documents from the prosecution of a previous, related application:

\_\_\_ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and

\_\_\_ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

I. X Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.

II. \_\_\_ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:

\_\_\_ Promptness Certification; or

\_\_\_ Check No. \_\_\_\_\_ in the amount of \$240.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

III. \_\_\_ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

\_\_\_ Promptness Certificate;

\_\_\_ Petition for Consideration; and

\_\_\_\_ Check No. in the amount of \$ \_\_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. \_\_\_\_ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

\_\_\_\_ Petition to Withdraw from Issue; and

\_\_\_\_ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

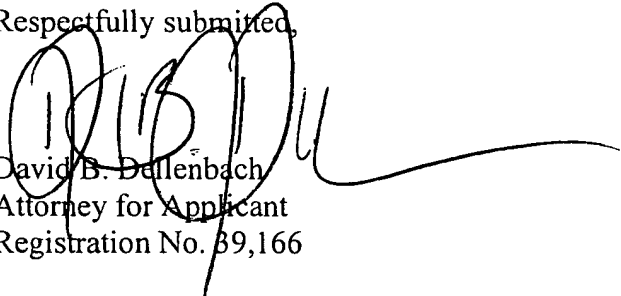
\_\_\_\_ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

\_\_\_\_ The submission fee set forth in 37 C.F.R. § 1.17(p).

\_\_\_\_ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 23<sup>rd</sup> day of April 2001.

Respectfully submitted,

  
David B. Dallenbach  
Attorney for Applicant  
Registration No. 39,166



**022913**

PATENT TRADEMARK OFFICE



ATENT APPLICATION  
Docket No: 13914.632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	)	
	)	
William T. Dalebout, et al.	)	
	)	
Serial No.:	)	Art Unit
09/737,892	)	3764
	)	
Filed:	)	
December 15, 2000	)	
	)	
For:	)	
SELECTIVELY DYNAMIC EXERCISE	)	
PLATFORM	)	

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which

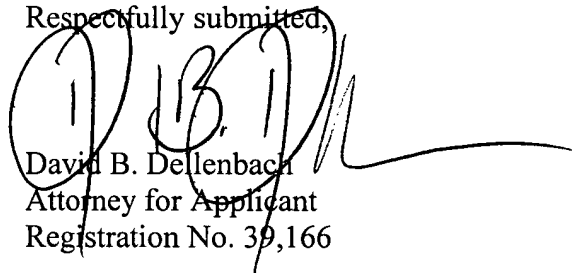
the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

DATED April 23, 2001.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D B Dellenbach', with a long horizontal flourish extending to the right.

David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166

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